IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY SECOND DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 15962 of 2005

Between:

Koparthi Laxmi Siva Prasad S/o.Rama Krishna Rao
R/o.Dr.No.6/674-1, Mayuri Complex Azad Road Machilipatnam Krishna District

..... PETITIONER

a AND

AND

1 The Secretary (Revenue) State of Andhra Pradesh Secretariat Bldgs, Hyderabad.
2 The District Collector, Krishna District at Machilipatnam.
3 Machilipatnam Municipality, rep by its Special Officer Joint Collector, Krishna District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ order or direction more particularly one in the nature of writ of Mandamus, declaring the action of the respondents proposing to demolish the petitioners building bearing Dr.No.6/674-1 ituated at Mayuri Complex, Azad Road Machilipatnam, Krishna District in which the petitioner have been running business under the name and style of Mohan Sredevi Jewellery without giving any notice and without following due process of law which is arbitrary, illegal, capricious and violative of Arts. 14,21 and 300 (A) of the Constitution of Inida and consequently direct the respondents not to demolish the said building bearing Dr.No.6/674-1 situated at Mayuri Complex, Azad Road Machilipatnam, Krishna District.

Counsel for the Petitioner: MR.YALLABANDI RAMATIRTHA

Counsel for the Respondents 1 & 2: GP FOR REVENUE

Counsel for the Respondent No.3: MR.S.NAGESWAR REDDY

The Court made the following:

ORDER:

Heard both sides.

In this Writ Petition, petitioner is seeking a Writ of Mandamus declaring the action of the respondents proposing to demolish the petitioner's building bearing Door No.6/674-1 situated at Mayuri Complex, Azad Road, Machilipatnam, Krishna District as arbitrary, illegal and violative of Articles 14, 21 and 300-A of the Constitution of India and consequently direct the respondents not to demolish the building bearing Door No.6/674-1 at Mayuri Complex, Azad Road, Machilipatnam.

Without going into the merits of the case, I deem it appropriate to direct the respondents to follow the guidelines issued by the Division Bench in ***PILLI LAKSHMANA RAO AND OTHERS v. EXECUTIVE OFFICER, GRAM PANCHAYAST, CHALLAPALE AND OTHERS***, before demolishing the building bearing Door No.6/674-1 situated at Mayuri Complex, Azad Road, Machilipatnam.

Accordingly, the Writ Petition is disposed of. No order as to costs.

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06-07-2005

MRKR

To

1 The Secretary (Revenue) State of Andhra Pradesh Secretariat Buildings, Hyderabad.
2 The District Collector, Krishna District at Machilipatnam.
3 The Special Officer Joint Collector, Machilipatnam Municipality, Krishna District.

4 Two C.Cs to the Government Pleader for Revenue, High Court Buildings, Hyderabad.

5 Two C.D.copies.